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those combined in illegal methamphetamine laboratories, produced extremely hazardous substances.

(5) Illegal drug laboratories have been found in apartments, motel rooms, motor homes, and dwellings in both urban and rural settings.

(6) Cleanup operations undertaken at the site of a seized illegal drug laboratory often neglect residual hazardous wastes which threaten the health of innocent tenants, homeowners, and livestock, as well as the water supply of surrounding communities.

(7) Illegal drug laboratories are hazardous waste producers.

(8) No Federal agency has been granted budgetary authority to provide for the effective disposal and cleanup of hazardous waste produced by illegal drug laboratories.

(9) The failure to cleanup and dispose of hazardous waste produced by illegal drug laboratories presents long-term health hazards.

(1) State and local authorities are currently ill-equipped to effectively cleanup and dispose of hazardous waste produced by illegal drug laboratories.

(c) ESTABLISHMENT OF TASK FORCE.—There is established the Joint Federal Task Force on Illegal Drug Laboratories (hereinafter in this section referred to as the "Task Force").

(d) APPOINTMENT AND MEMBERSHIP OF TASK FORCE.—The members of the Task Force shall be appointed by the Administrators of the Environmental Protection Agency and the Drug Enforcement Administration (hereafter in this section referred to as the "Administrators"). The Task Force shall consist of at least 6 and not more than 20 members. Each Administrator shall appoint one-half of the members as follows: (1) the Administrator of the Environmental Protection Agency shall appoint members from among Emergency Response Technicians and other appropriate employees of the Agency; and (2) the Administrator of the Drug Enforcement Administration shall appoint members from among Special Agents assigned to field divisions and other appropriate employees of the Administration.

(e) DUTIES OF TASK FORCE.—The Task Force shall formulate, establish, and implement a program for the cleanup and disposal of hazardous waste produced by illegal drug laboratories. In formulating such program, the Task Force shall consider the following factors:

(1) The volume of hazardous wastes produced by illegal drug laboratories.

(2) The cost of cleaning up and disposing of hazardous waste produced by illegal drug laboratories.

(3) The effectiveness of the various methods of cleaning up and disposing of hazardous waste produced by illegal drug laboratories.

(4) The coordination of the efforts of the Environmental Protection Agency and the Drug Enforcement Administration in cleaning up and disposing of hazardous waste produced by illegal drug laboratories.

(5) The dissemination of information to law enforcement agencies that have responsibility for enforcement of drug laws.

(f) GUIDELINES.—The Task Force shall recommend to the Administration guidelines for cleanup of illegal drug laboratories to protect the public health and environment. Not later than 180 days after the date of the enactment of this Act, the Administration shall formulate and publish such guidelines.

(g) DEMONSTRATION PROJECTS.—

(1) The Attorney General shall make grants to, and enter into contracts with, State and local governments for demonstration projects to clean up and safely dispose of substances associated with illegal drug

laboratories which may present a danger to public health or the environment.

(2) The Attorney General may not under this subsection make a grant or enter into a contract unless the applicant for such assistance agrees to comply with the guidelines issued pursuant to subsection (e).

(3) The Attorney General shall, through grant or contract, provide for independent evaluations of the activities carried out pursuant to this subsection and shall recommend appropriate legislation to the Congress.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the purpose of carrying out this section for fiscal year 1989, \$5,000,000.

(i) REPORTS.—After consultation with the Task Force, the Administrators shall—

(1) transmit to the President and to each House of Congress not later than 270 days after the date of the enactment of this Act a report describing the program established by the Task Force under subsection (d) (including an analysis of the factors specified in paragraphs (1) through (5) of that subsection);

(2) periodically transmit to the President and to each House of Congress reports describing the implementation of the program established by the Task Force under subsection (e) (including an analysis of the factors specified in paragraphs (1) through (5) of that subsection) and the progress made in the cleanup and disposal of hazardous waste produced by illegal drug laboratories; and

(3) transmit to each House of Congress a report describing the findings made as a result of the evaluations referred to in subsection (g)(3).

(j) EFFECTIVE DATE.—The provisions of this Act shall take effect October 1, 1988, or upon the date of enactment, whichever occurs later.

On page 169, after line 24, insert the following new subsection:

(f) DESIGNATION OF AUTHORITY.—The National Forest System Drug Control Act of 1986 is amended by inserting after section 15007 (16 U.S.C. 559f) the following new section:

"SEC. 15008. DESIGNATION AUTHORITY OF SECRETARY OF AGRICULTURE.

"(a) PURPOSE.—It is the purpose of this section to authorize the Secretary of Agriculture to take actions necessary, in connection with the administration and use of the National Forest System, including the designation of certain officers or employees of the Forest Service, to make law enforcement operations more efficient.

"(b) OFFICERS OF OTHER AGENCIES.—The Secretary of Agriculture is authorized to designate law enforcement officers of any other Federal agency, when the Secretary determines such to be economical and in the public interest, and with the concurrence of that agency to exercise the powers and authorities of the Forest Service while assisting the Forest Service in the National Forest System, or for activities administered by the Forest Service.

"(c) ACCEPTANCE BY FOREST SERVICE.—The Forest Service is authorized to accept law enforcement designation from any other Federal or State agency or political subdivision thereof for the purpose of cooperating in the investigations and enforcement of the laws and regulations of any other Federal or State agency or political subdivision thereof, when such investigation or enforcement is mutually beneficial to the Forest System and the cooperating agency, and on the establishment of a memorandum of understanding or other cooperative agreement."

On page 416, line 21, after "number" delete "and" and insert a ",."

On page 416 insert on line 21 after "demographic characteristics," ", socioeconomic, and other relevant characteristics"

On page 416 after line 25, insert "(3) to the extent feasible the percentage of individuals who complete the appropriate course of treatment through programs referred to in paragraph (1) who upon one year after completion require further treatment."

On page 417 of the bill, insert on line 1 after "care" "or treatment"

On page 417 on line 5 after "complete" insert "and fail to complete."

On page 417 after line 25 insert "(12) to the extent feasible information shall be provided to determine whether clients subsequently become involved in criminal activities, drug use, and other information regarding the subsequent drug-related or criminal activities of individuals who have undergone a treatment program."

At the end of subtitle E of Title IV, insert the following new section:

SEC. DISCUSSIONS ON (NEGOTIATIONS FOR) AN INTERNATIONAL CRIMINAL COURT.

It is the sense of the Senate that the President should begin discussions with foreign governments to investigate the feasibility and advisability of establishing an international criminal court to expedite cases regarding the prosecution of persons accused of having engaged in international drug trafficking or having committed international crimes. Such discussions shall not include any commitment that such court shall have jurisdiction over the extradition of U.S. citizens and shall assume that any international agreement shall recognize the rights and privileges guaranteed to U.S. citizens under the U.S. Constitution.

At the appropriate place in the bill, insert the following new section:

Sec. The United States shall, in the case of the Chapare Regional Development Project, take the necessary steps to implement expeditiously a new agreement with Bolivia which shall provide for flexibility in achieving coca eradication targets. Such flexibility shall be exercised only to the extent that good faith efforts continue to be made to achieve stated eradication goals.

On page 337:

In lines 15 through 19, strike all between "or" and "procedures".

On page 341, line 25, strike all beginning with "or" through "procedure" on page 342, line 3.

On page 8, line 23, before the " " insert, "including the Office of Comprehensive School Health Education upon its establishment".

On page 534, line 15, after "agencies" insert ", including Indian public housing authorities."

At the end of Title IV, insert the following:

"Subtitle F—Diplomatic Immunity Abuse Prevention Act"

SEC. 4601. SHORT TITLE.

This subtitle may be cited as the "Diplomatic Immunity Abuse Prevention Act".

SEC. 4602. CRIMES COMMITTED BY DIPLOMATS.

(a) RECORDS.—The Foreign Missions Act (title II of the State Department Basic Authorities Act of 1956; 22 U.S.C. 4301 et seq.) is amended by inserting after section 204A the following new section:

"CRIMES COMMITTED BY DIPLOMATS

"SEC. 204B. The Director shall develop and maintain records on each incident in which there is involved an individual with immunity from the criminal jurisdiction of the United States who the Director reasonably believes has committed a serious criminal

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nal offense within the United States. Each such record shall include—

"(1) the identity of such individual;

"(2) the nature of the offense committed by such individuals, including whether such offenses were committed against property or persons;

"(3) whether such offense involved reckless driving or driving while intoxicated; and

"(4) the number and nature of all other criminals offenses committed in the United States by such individual."

(b) **REPORT.**—Section 5 of the Diplomatic Relations Act (22 U.S.C. 254a et seq.) is amended—

"(1) by redesignating section 5 as section 5(a); and

"(2) by inserting at the end thereof the following new subsection:

"(b) **CRIMES COMMITTED BY DIPLOMATS.**—

"(1) **REPORT.**—Every 12 months after the date of enactment of this Act, the Secretary of State shall submit to the Congress a report describing—

"(A) the incidents occurring during the preceding 12 months which were recorded under section 204B of the Foreign Missions Act, including the information developed and maintained under such section; and

"(B) the undisputed indebtedness which is owed to an individual or entity within the United States by a mission, members of the mission, or their families and for which repayment is in arrears by more than 6 months.

"(2) **LAW ENFORCEMENT INDIVIDUALS.**—The Secretary of State shall take such steps as may be necessary—

"(A) to educate law enforcement officials on the extent of the immunity from criminal jurisdiction provided to members of a mission and to family members of such members, under the Vienna Convention; and

"(B) to assure that, in the event that an individual entitled to immunity from the criminal jurisdiction of the United States is believed to have committed a serious crime, the relevant law enforcement and prosecutorial officials are fully informed of their rights to investigate, charge and, as warranted, prosecute the offense in question to the extent consistent with criminal immunities established under the Vienna Convention and other applicable international law.

"(3) **DISCOURAGING PROSECUTIONS.**—

"(A) No officer or employee of the Department of State may seek to discourage any investigation, charge, or prosecution by a Federal, State, or local government of—

"(i) an alien who is a member of a mission,

"(ii) a family member of an alien described in clause (i), or

"(iii) any other alien not entitled to immunity from the criminal jurisdiction of the United States.

"(B) No information shall be required to be submitted under paragraph (1) with respect to a specific individual if the Secretary of State determines and, within 30 days after the determination, reports to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate that significant foreign policy considerations or the national security so requires.

"(4) **NOTIFICATION OF DIPLOMATIC CORPUS.**—The Secretary of State shall notify the members of each mission in the United States of United States policies relating to criminal offenses (particularly crimes of violence) committed by such members and the family members of such members, including the policy of obtaining criminal indictments, requiring such members to leave the country, and declaring such members personal non grata."

**SEC. 4602. REGISTRATION AND DEPARTURE PROCEDURES FOR INDIVIDUALS WITH DIPLOMATIC IMMUNITY.**

Section 3 of the Diplomatic Relations Act (22 U.S.C. 254a et seq.) is amended by adding at the end thereof the following new subsection:

"(c)(1) The Secretary of State shall develop and implement registration and departure procedures for members of missions, and the family members of such members, in order to identify those individuals in the United States who are entitled to immunity from the criminal jurisdiction of the United States.

"(2) No individual shall enjoy diplomatic consular immunity in the United States if at the time of his proposed accreditation there are pending against such individual charges of a serious criminal offense in any jurisdiction within the United States.

"(3) The Secretary may waive paragraph (2) with respect to an individual if the Secretary determines, and reports to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate within 30 days after such accreditation, that such accreditations is required by significant foreign policy considerations or the national security."

**SEC. 4604. WAIVER OF DIPLOMATIC IMMUNITY OR REMOVAL WHEN CHARGED WITH A SERIOUS CRIME.**

(A) **IN GENERAL.**—The Foreign Missions Act is amended by inserting after section 204B, as added by section 502(a) of this Act, the following new section:

"**WAIVER OF DIPLOMATIC IMMUNITY OR REMOVAL WHEN CHARGED WITH A SERIOUS CRIME.**

"Sec. 204C. (a) Whenever there is probable cause to believe that an individual who is entitled to immunity from the criminal jurisdiction of the United States may have committed a serious criminal offense (particularly a crime of violence), the Secretary of State shall—

"(1) immediately expel from the United States or request the foreign ministry of the country such individual represents to waive the immunity of that individual;

"(2) through the appropriate United States foreign mission, promptly inform the foreign ministry of the offender's country of the United States Government's intention actively to pursue compensation for all damages resulting from the actions of the offender; and

"(3) if such waiver is denied, immediately declare such individual non grata or ensure the removal from the United States or, when appropriate, declare that the individual's principal sponsor is no longer acceptable as a diplomat or consular representative in the United States if there is a prima facie case against such individual which, absent immunity from criminal jurisdiction, would lead to prosecution.

"(b) The Secretary of State shall notify the Attorney General of each individual entitled to immunity from the criminal jurisdiction of the United States who voluntarily leaves, or is asked to leave, the United States because of that individual's alleged involvement in a serious criminal offense in order to prevent permanently that person from reentering the United States."

(b) **EXCLUSION OF ALIENS PREVIOUSLY INVOLVED IN A SERIOUS CRIMINAL OFFENSE COMMITTED IN THE UNITED STATES.**—Section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) is amended—

(1) by striking out the period at the end of paragraph (33) and inserting in lieu thereof "and"; and

(2) by adding after paragraph (33) the following new paragraph:

"(34) Any alien with respect to whom the Secretary of State has notified the Attorney General under section 204C of the Foreign Missions Act because of that alien's alleged involvement in an offense defined in section 202(a)(9) of that Act, except that such alien may be admitted to the United States—

"(A) with respect to any proceeding regarding such crime, or

"(B) if the Attorney General, in consultation with the Secretary of State, determines that admitting such individual into the United States is in the national interest."

**SEC. 4605. AUTHORITY TO INSTITUTE AND MAINTAIN CRIMINAL PROSECUTIONS.**

Section 5(a) of the Diplomatic Relations Act (22 U.S.C. 254(a)), as amended by section 502(b)(1) of this Act, is further amended by inserting before the period at the end of the first sentence the following: "except that, in the case of a criminal proceeding, prosecution may be instituted and maintained if no measure is taken in derogation of any immunities of any individual who is entitled to immunity from the criminal jurisdiction of the United States."

**SEC. 4606. REVIEW OF UNITED STATES POLICY ON DIPLOMATIC IMMUNITY.**

The Secretary of State shall review the policy of the United States of providing privileges and immunities to foreign missions, the members of the mission, their families, the diplomatic couriers, and others which result in treatment which is more favorable than the treatment required to be provided under the Vienna Convention on Diplomatic Relations. Within 180 days after the date of enactment of this Act, the Secretary of State shall submit to the Congress a report including recommendations—

(1) for such changes as may be necessary in such United States policy so that such privileges and immunities do not exceed United States treaty obligations; and

(2) to promote the observance of United States law by foreign missions, the members of the mission, their families, the diplomatic couriers, and others.

**SEC. 4607. REVIEW OF PROCEDURES FOR ISSUING VISAS TO DIPLOMATS TO THE UNITED STATES AND THE UNITED NATIONS.**

In order to ensure conformity with the treatment accorded to United States diplomats by other countries, the Secretary of State, in consultation with the Attorney General, shall review the procedures, and make such changes in the procedures as may be necessary, for issuing nonimmigrant visas to the aliens described in subparagraphs (A) and (G) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)). Within 1 year after the date of enactment of this Act, the Secretary of State shall submit to the Congress a report on the results of such review and describing the changes, if any, made in such procedures.

**SEC. 4608. LIABILITY INSURANCE TO BE CARRIED BY DIPLOMATIC MISSIONS.**

(a) **REQUIREMENT.**—Section 6 of the Diplomatic Relations Act (22 U.S.C. 254e) is amended by adding at the end thereof the following new subsection:

"(d) The Director of the Office of Foreign Missions shall, by regulations, establish, and take such steps as he deems necessary to ensure compliance with, liability insurance requirements which can reasonably be expected to afford adequate compensation for injury to person or property resulting from or arising out of the activities of a mission, members of the mission and their families, and individuals described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13,

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1946, other than liability relating to risks described in subsection (b)."

(b) **CONFORMING AMENDMENT.**—Subsection (a) of such section is amended by striking out "subsection (b)" and inserting in lieu thereof "subsections (b) and (d)".

## SEC. 4609. DIPLOMATIC POUCHES.

The President shall—

(1) take such steps as may be necessary to prevent the use of diplomatic pouches for the illicit transportation of narcotics, explosives, and weapons and any material used to foster terrorism into the United States; and

(2) seek in appropriate fora: the adoption of measures which will ensure that diplomatic pouches are not used to smuggle illicit narcotics, explosives, weapons, and any materials used to foster terrorism.

## SEC. 4610. DEFINITIONS.

(a) **FOREIGN MISSIONS ACT AMENDED.**—Section 202(a) of the Foreign Missions Act is amended—

(1) by striking out "and" at the end of paragraph (7);

(2) by striking out the period at the end of paragraph (8) and inserting in lieu thereof a semicolon; and

(3) by adding at the end thereof the following new paragraphs:

"(9) the term 'serious criminal offense' means—

"(A) any felony;

"(B) any crime of violence, as defined in section 16 of title 18, United States Code; or

"(C) reckless driving or driving while intoxicated or under the influence of alcohol or drugs which involves personal injury; and

"(10) the term 'individual entitled to immunity from the criminal jurisdiction of the United States' means any individual who is not subject to such criminal jurisdiction as a result of international obligations of the United States arising from multilateral agreements, bilateral agreements, or international law."

(b) **DIPLOMATIC RELATIONS ACT AMENDED.**—Section of the Diplomatic Relations Act (22 U.S.C. 254a) is amended—

(1) by striking out "and" at the end of paragraph (3);

(2) by striking out the period at the end of paragraph (4) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following new paragraph:

"(5) the term 'serious criminal offense' means—

"(A) any felony"

"(B) any crime of violence, as defined in section 16 of title 18, United States Code; or

"(C) reckless driving or driving while intoxicated or under the influence of alcohol or drugs which involves personal injury; and

"(6) the term 'individual entitled to immunity from the criminal jurisdiction of the United States' means any individual who is not subject to such criminal jurisdiction as a result of international obligations of the United States arising from multilateral agreements, bilateral agreements, or international law."

(c) **DEFINITION OF FAMILY MEMBERS.**—Paragraph (2) of section 2 of the Diplomatic Relations Act (22 U.S.C. 254a) is amended to read as follows:

"(2) the term 'family', subject to further limitation by the Secretary of State where warranted by reciprocity or exceptional circumstances, means—

"(A) the spouse of a member of a mission described in paragraph (1)(A) and his or her unmarried children under 21 years of age, who are not members of some other household, and who reside exclusively in the principal's household, if the spouse or children are not nationals of the United States;

"(B) the spouse of a member of a mission described in paragraph (1)(B) and his or her unmarried children under 21 years of age, who are not members of some other household, and who reside exclusively in the principal's household, if the spouse or children are not nationals or permanent residents of the United States;

"(C) the unmarried children of a member of a mission described in paragraph (1)(A) who are under 23 years of age and attending an institution of higher education on a full-time basis, if they are not nationals of the United States;

"(D) the unmarried children of a member of a mission described in paragraph (1)(B) who are under 23 years of age and attending an institution of higher education on a full-time basis, if they are not nationals or permanent residents of the United States; and

"(E) under exceptional circumstances and with the express advance approval of the Department of State, other persons who are not members of some other household, who reside exclusively in the principal's household, and who are recognized by the sending State as members of the family forming part of the household."

At the appropriate place in the bill, add the following:

SEC. . Sense of the Senate relating to illegal drug activities.

Whereas there has been a severe, cancer-like growth of youth gangs who abuse, transport, and traffic in illegal drugs;

Whereas such youth gangs engage in acts of violence, often on a random basis, resulting in death or serious bodily injury to thousands of people, as well as terrorizing tens of thousands of others; and

Whereas such youth gangs have spread their activities from Southern California to more than 50 cities throughout the United States, thereby clearly indicating that the threat posed by these gangs is national in nature, requiring a strong federal response;

Furthermore, whereas, the nation's insular territories and commonwealths of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Mariana Islands and Palau face the growing threat from drugs, and are on the frontier of illegal drug shipments to the mainland;

Whereas, roughly 80% of the drugs coming to the island of Puerto Rico are for transshipment to the mainland United States, and the two year old drug fighting unit that coordinates Puerto Rico's drug enforcement has seized drugs with a value in excess of \$1.5 billion, most of which otherwise would have flooded the streets of American cities; and

Whereas, the insular governments have demonstrated their commitment to the war on drugs by committing significant resources to this challenge and the Nation must commit itself to further assistance to the insular areas, and to coordinating their efforts with the national anti-drug effort;

Furthermore, whereas, stopping drugs at the source is one of the critical elements of our government's war on drugs; and

Whereas, the State Department's Bureau of International Narcotics Matters Airwing Operations is an important tool of our government's policy against narcotics trafficking.

It is, therefore, the sense of the Senate that the Director of National Drug Control Policy, (the Director), should review the entire drug control problem to determine priorities for new resources or shifting of existing resources, giving particular attention to:

(1) assistance to the insular territorial and commonwealth governments of Puerto Rico, Virgin Islands, Guam, American Samoa, Mariana Islands and Palau;

(2) assistance to the State Department's Bureau of International Narcotics Matters Airwing Operations; and

(3) assistance to control the present and growing threat posed to the nation by youth gangs which traffic in illegal drugs.

Based upon his findings, the Director should consider, as necessary, recommending significant resources in addition to those specifically allocated in this Act, utilizing his authority to reprogram or transfer monies, and requesting a reallocation of monies by the Congress.

At the appropriate place in the bill, insert the following:

## SEC. . INCREASED PENALTIES FOR CERTAIN SERIOUS CRACK POSSESSION OFFENSES.

(a) Section 404(a) of the Controlled Substances Act (21 U.S.C. 844(a)) is amended by inserting after the second sentence the following new sentence: "Notwithstanding the preceding sentence, a person convicted under this subsection for the possession of a substance which contains cocaine base shall be fined under title 18, United States Code, or imprisoned not less than 5 years and not more than 20 years, or both, if the conviction is a first conviction under this subsection and the amount of the mixture or substance exceeds 5 grams, if the conviction is after a prior conviction for the possession of such a mixture or substance under this subsection becomes final and the amount of the mixture or substance exceeds 3 grams, or if the conviction is after 2 or more prior convictions for the possession of such a mixture or substance under this subsection become final and the amount of the mixture or substance exceeds 1 gram."

(1) Delete ", or to have used," wherever it appears (page 2 lines 7 & 19, page 3 line 13)

(2) Add at the end the following:

"(d) **EFFECTIVE DATE.**—The amendments in this section shall apply to offenses occurring or completed on or after January 1, 1989 except in cases involving parole where the amendments in this section shall apply upon the date of enactment."

At the appropriate place in the bill, insert the following new section:

## SEC. . REVOCATION OF PROBATION, PAROLE, AND SUPERVISED RELEASE FOR USE OR POSSESSION OF A CONTROLLED SUBSTANCE.

(a) **PROBATION.**—(1) Section 3563(a) of title 18, United States Code, is amended by—

(A) striking "and" after the semicolon in paragraph (1);

(B) striking the period at the end of paragraph (2) and inserting "; and"; and

(C) inserting after paragraph (2) the following:

"(3) for a felony, a misdemeanor, or an infraction, that the defendant not possess illegal controlled substances."

(2) Section 3565(a) of title 18, United States Code, is amended by adding at the end thereof the following: "Notwithstanding any other provision of this section, if a defendant is found to be in possession of a controlled substance, thereby violating the condition imposed by section 3563(a)(3), the court shall revoke the sentence of probation and sentence the defendant to not less than one-third of the original sentence."

(b) **SUPERVISED RELEASE.**—(1) Section 3583(d) of title 18, United States Code, is amended in the first sentence by striking the period and inserting "and that the defendant not possess illegal controlled substances."

(2) Section 3583 of title 18, United States Code, is amended by adding at the end thereof the following:

"(g) **USE OF CONTROLLED SUBSTANCES.**—If the defendant is found to be in the possession of a controlled substance the court